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21 **UNITED STATES DISTRICT COURT**

22 **DISTRICT OF NEVADA**

23 BLANTON BANKS, II,

24 Plaintiff,

25 v.

26 TRANS UNION LLC; EQUIFAX
27 INFORMATION SERVICES LLC;
28 EXPERIAN INFORMATION SOLUTIONS
INC.; FIRST PREMIER BANK; US AUTO
CREDIT PURCHASE; I.Q. DATA
INTERNATIONAL INC.; AD ASTRA
RECOVERY SERVICES INC.; WELLS
FARGO BANK; KAPS & CO USA LLC;
TBOM/TOTAL CARD; LC. SYSTEM INC.;
ASSET RECOVERY SOLUTIONS LLC;
AARGON AGENCY INC.,

Defendant.

Case No. 2:21-cv-01580-CDS-DJA

Hon. Cristina D. Silva

**DEFENDANTS' JOINT MOTION FOR
PROTECTIVE ORDER**

1 **DEFENDANTS' JOINT MOTION FOR PROTECTIVE ORDER**

2 Defendants Experian Information Solutions, Inc. (“Experian”), Equifax Information
3 Services, LLC (“Equifax”), and Ad Astra Recovery Services, Inc, (“Ad Astra”), through their
4 respective attorneys of record, move for the entry of the following protective order to govern the
5 production and use of confidential information in this matter:

6 WHEREAS, documents and information have been and may be sought, produced or
7 exhibited by and among the parties to this action relating to trade secrets, confidential research,
8 development, technology or other proprietary information belonging to the defendants, and/or
9 personal income, credit and other confidential information of Plaintiff.

10 THEREFORE, an Order of this Court protecting such confidential information shall be
11 and hereby is made by this Court on the following terms:

12 1. This Order shall govern the use, handling and disclosure of all documents,
13 testimony or information produced or given in this action which are designated to be subject to
14 this Order in accordance with the terms hereof.

15 2. Any party or non-party producing or filing documents or other materials in this
16 action (the “Producing Party”) may designate such materials and the information contained
17 therein subject to this Order by typing or stamping on the front of the document, or on the
18 portion(s) of the document for which confidential treatment is designated, “Confidential.”

19 3. To the extent any motions, briefs, pleadings, deposition transcripts, or other papers
20 to be filed with the Court incorporate documents or information subject to this Order, the party
21 filing such papers shall designate such materials, or portions thereof, as “Confidential,” and shall
22 file them with the clerk under seal; provided, however, that a copy of such filing having the
23 confidential information deleted therefrom may be made part of the public record. Any party
24 filing any document under seal must comply with the requirements of LR IA 10-5.

25 4. All documents, transcripts, or other materials subject to this Order, and all
26 information derived therefrom (including, but not limited to, all testimony given in a deposition,
27 declaration or otherwise, that refers, reflects or otherwise discusses any information designated
28 “Confidential” hereunder), shall not be used, directly or indirectly, by any person, including the

1 other Defendants, for any business, commercial or competitive purposes or for any purpose
2 whatsoever other than solely for the preparation for and trial of this action in accordance with the
3 provisions of this Order.

4 5. Except with the prior written consent of the individual or entity designating a
5 document or portions of a document as “Confidential,” or pursuant to prior Order after notice, any
6 document, transcript or pleading given “Confidential” treatment under this Order, and any
7 information contained in or derived from any such materials (including but not limited to, all
8 deposition testimony that refers to, reflects or otherwise discusses any information designated
9 “Confidential” hereunder) may not be disclosed other than in accordance with this Order and may
10 not be disclosed to any person other than: (a) the Court and its officers; (b) parties to this
11 litigation; (c) counsel for the parties, whether retained outside counsel or in-house counsel and
12 employees of counsel assigned to assist such counsel in the preparation of this litigation; (d) fact
13 witnesses subject to a proffer to the Court or a stipulation of the parties that such witnesses need
14 to know such information; and (e) present or former employees of the Producing Party in
15 connection with their depositions in this action (provided that no former employees shall be
16 shown documents prepared after the date of his or her departure).

17 6. All persons receiving any or all documents produced pursuant to this Order shall
18 be advised of their confidential nature. All persons to whom confidential information and/or
19 documents are disclosed are hereby enjoined from disclosing same to any person except as
20 provided herein, and are further enjoined from using same except in the preparation for and trial
21 of the above-captioned action between the named parties thereto. No person receiving or
22 reviewing such confidential documents, information or transcript shall disseminate or disclose
23 them to any person other than those described above in Paragraph 5 and for the purposes
24 specified, and in no event shall such person make any other use of such document or transcript.

25 7. Nothing in this Order shall prevent a party from using at trial any information or
26 materials designated “Confidential.”

27 8. This Order has been agreed to by the parties to facilitate discovery and the
28 production of relevant evidence in this action. Neither the entry of this Order, nor the designation

1 of any information, document, or the like as “Confidential,” nor the failure to make such
2 designation, shall constitute evidence with respect to any issue in this action.

3 9. Within sixty (60) days after the final termination of this litigation, all documents,
4 transcripts, or other materials afforded confidential treatment pursuant to this Order, including
5 any extracts, summaries or compilations taken therefrom, but excluding any materials which in
6 the good faith judgment of counsel are work product materials, shall be returned to the Producing
7 Party.

8 10. In the event that any party to this litigation disagrees at any point in these
9 proceedings with any designation made under this Protective Order, the parties shall first try to
10 resolve such dispute in good faith on an informal basis. If the dispute cannot be resolved, the
11 party objecting to the designation may seek appropriate relief from this Court. During the
12 pendency of any challenge to the designation of a document or information, the designated
13 document or information shall continue to be treated as “Confidential” subject to the provisions
14 of this Protective Order.

15 11. Nothing herein shall affect or restrict the rights of any party with respect to its own
16 documents or to the information obtained or developed independently of documents, transcripts
17 and materials afforded confidential treatment pursuant to this Order.

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1 12. The Court retains the right to allow disclosure of any subject covered by this
2 stipulation or to modify this stipulation at any time in the interest of justice.

3 Dated: May 11, 2022

4 Respectfully submitted,

5 /s/ Jennifer L. Braster

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15 /s/ Gia Marina

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22 *Attorney for Defendant Equifax Information*
23 *Services, LLC*

24 IT IS SO ORDERED.

25 Dated: _____, ____

26 /s/
27 UNITED STATES MAGISTRATE JUDGE

1 EXHIBIT A

2 DECLARATION OF COMPLIANCE

3 (*Banks v. Trans Union, LLC, et al., Case No. 2:21-cv-01580-CDS-DJA*)

4 I, _____, declare as follows:

5 1. My address is _____.

6 2. My present employer is _____.

7 3. My present occupation or job description is _____.

8 4. I have received a copy of the Stipulated Protective Order entered in this action on
9 _____, 2022.

10 5. I have carefully read and understand the provisions of this Stipulated Protective
11 Order.

12 6. I will comply with all provisions of this Stipulated Protective Order.

13 7. I will hold in confidence and will not disclose to anyone not qualified under the
14 Stipulated Protective Order, any information, documents or other materials produced subject to
15 this Stipulated Protective Order.

16 8. I will use such information, documents or other materials produced subject to this
17 Stipulated Protective Order only for purposes of this present action.

18 9. Upon termination of this action, or upon request, I will return and deliver all
19 information, documents or other materials produced subject to this Stipulated Protective Order,
20 and all documents or things which I have prepared relating to the information, documents or other
21 materials that are subject to the Stipulated Protective Order, to my counsel in this action, or to
22 counsel for the party by whom I am employed or retained or from whom I received the
23 documents.

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10. I hereby submit to the jurisdiction of this Court for the purposes of enforcing the Stipulated Protective Order in this action. I declare under penalty of perjury under the laws of the United States that the following is true and correct.

Executed this ____ day of _____, 2022 at _____.

QUALIFIED PERSON